

1 THE HONORABLE JOHN C. COUGHENOUR  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 JAMES A. LAWRENCE,

11 Plaintiff,

12 v.

13 POLE POSITION EXPRESS LOGISTICS  
14 LLC, *et al.*,

15 Defendants.

16 CASE NO. C21-0010-JCC

17 ORDER

18 This matter comes before the Court on Plaintiff's motion for service of process by mail  
19 (Dkt. No. 6). Having thoroughly considered the motion and relevant record, the Court hereby  
GRANTS the motion for the reasons explained herein.

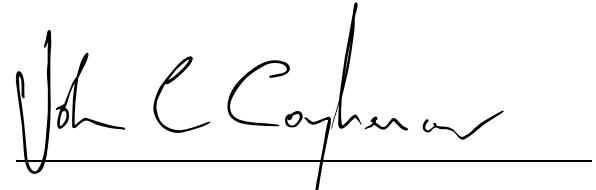
20 A plaintiff may, among other methods, serve a defendant located in the United States by  
21 "following state law for serving a summons in an action brought in courts of general jurisdiction  
22 in the state where the district court is located or where service is made." Fed. R. Civ. P. 4(e)(1),  
23 (h)(1). In Washington, alternative service by mail is permissible when the circumstances would  
24 justify service by publication and the defendant is likely to receive actual notice. Wash. State  
25 Court Civil Rule 4(d)(4). Service by publication is permitted under limited circumstances such as  
26 when a defendant who is a resident of Washington "keeps himself concealed" within the state

1 "with intent to ... to avoid the service of a summons[.]" Wash. Rev. Code § 4.28.100(2).  
2 Washington courts have clarified that service by mail is permissible upon Washington residents  
3 when they are attempting to evade service. *Pascua v. Heil*, 108 P.3d 1253, 1257 (Wash. App.  
4 2005).

5 Plaintiff has made diligent efforts to serve Defendants and has sufficiently shown that  
6 Defendants are attempting to evade service of process. For the foregoing reasons, Plaintiff's  
7 motion for leave to effect service of process by mail (Dkt. No. 6) is GRANTED. Plaintiff shall  
8 follow the dictates of CR 4(d)(4) in attempting service of process by certified first class mail  
9 with return receipt requested.

10 DATED this 29th day of January 2021.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE